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FACSIMILE COVER SHEET

Date: June 7, 2004	Client & Matter Number : 018547-040820US	No. Pages (including this one): 8
To: Examiner Bennett Celsa USPTO	At Fax Number: 571-273-0807	Confirmation Phone Number: 571-272-0807
From : Joe Liebeschuetz		(5218)

Message: USSN 09/779,389 Attorney Docket #018547-040820US

Please find attached a copy of the Request for Signed Copy of Previously Submitted Information Disclosure Statement for the above-referenced application.

Please return a signed copy by facsimile to me at 650-326-2422.

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PATENT
Docket No.: 018547-040820US
Client Ref. No.: 3253.2

TOWNSEND and TOWNSEND and CREW LLP

By: 

D'Evelyn R. Moran

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

McGall et al.

Application No.: 09/779,389

Filed: February 7, 2001

For: METHODS FOR IMPROVED
ARRAY PREPARATION

Examiner: Bennett Celsa

Art Unit: 1639

**REQUEST FOR SIGNED COPY OF
PREVIOUSLY SUBMITTED
INFORMATION DISCLOSURE
STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submitted an Information Disclosure Statement on May 7, 2001, together with copies of cited references. A copy of the statement and a postcard showing receipt therewith by the U.S. PTO are attached. Applicants have not previously received a signed copy of the information disclosure statement and request this now be sent, preferably via facsimile to 650-326-2422.

Respectfully submitted,



Joe Liebeschuetz
Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
JOL/drm
60230234 v1

TO THE U.S. PATENT AND TRADEMARK OFFICE

Please stamp the date of receipt of the following document(s) and return this card to us

RE: McGall et al/TITLE OF DOCUMENT(S):
Information Disclosure Statement
PTO-1449☒ ReferencesApplication No.: 09/779,389
File No. 18547-040820
Date Due _____
Date Mailed: 5/7/01
Atty/Secty. WBK/jkh
SF 1018344 v1

MAY 18 2001

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PATENT
Attorney Docket No.: 18547-040820US
Client Reference No.: 3253.1

Assistant Commissioner for Patents
Washington, D.C. 20231

On May 7, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Jennifer K. Hardin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

McGall et al.

Application No.: 09/779,389

Filed: February 7, 2001

For: U.S. CONTINUATION PATENT
APPLICATION FOR: METHODS FOR
IMPROVED ARRAY PREPARATION

Examiner: Barba M. Koroma

Art Unit: 1627

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and

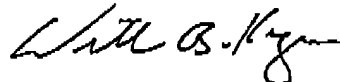
PATENT

McGall et al.
Application No.: 09/779,389
Page 2

no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



William B. Kezer
Reg. No. 37,369

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SF 1221350 v1

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

3

Complete if Known

Application Number	09/779,389
Filing Date	February 7, 2001
First Named Inventor	McGall, et al.
Group Art Unit	1832 1639
Examiner Name	Barba M. Koroma, PhD
Attorney Docket Number	18547-040820US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. 1	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code 2 (if known)			
MC	1	5,143,854		Pirung et al.	9/1/92	
	2	5,242,979		Barnum et al.	9/7/93	
	3	5,252,743		Barrett et al.	10/12/93	
	4	5,288,514		Ellman	2/22/94	
	5	5,324,633		Fodor et al.	8/28/94	
	6	5,324,683		Lowe	8/28/94	
	7	5,384,281		Winkler et al.	1/24/95	
	8	5,405,783		Pirung et al.	4/11/95	
	9	5,412,087		McGall et al.	5/2/95	
	10	5,424,188		Fodor et al.	8/13/95	
	11	5,445,934		Fodor et al.	8/29/95	
	12	5,451,883		Barrett et al.	9/19/95	
	13	5,482,867		Barrett et al.	1/9/96	
	14	5,488,878		Fodor et al.	2/6/96	
	15	5,491,074		Aldwin et al.	2/13/96	
	16	5,510,270		Fodor et al.	4/23/96	
	17	5,527,881		Holmes	6/18/96	
	18	5,545,531		Rava et al.	8/13/96	
	19	5,547,839		Dower et al.	8/20/96	
	20	5,550,215		Holmes	8/27/96	
	21	5,556,752		Lockhart et al.	9/17/96	
	22	5,571,639		Hubbell et al.	11/5/96	
	23	5,578,832		Trufson et al.	11/26/96	
	24	5,583,839		Hubbell et al.	1/14/97	
	25	5,589,895		Pease et al.	2/4/97	
	26	5,624,711		Sundberg et al.	4/29/97	
	27	5,631,734		Stam et al.	5/20/97	
	28	5,658,734		Brock, et al.	8/19/97	
	29	5,677,195		Winkler et al.	10/14/97	
	30	5,710,000		Sapolsky et al.	1/20/98	
	31	5,744,101		Fodor et al.	4/28/98	
	32	5,744,305		Fodor et al.	4/28/98	
	33	5,753,788		Fodor et al.	5/19/98	
	34	5,770,456		Holmes	6/23/98	
	35	5,800,992		Fodor et al.	9/1/98	
	36	5,831,070		Pease et al.	11/3/98	
	37	5,843,655		McGall	12/1/98	
	38	5,856,011		Sogabe	1/5/99	
	39	5,919,523		Sundberg et al.	7/6/99	
	40	6,022,963		McGall et al.	2/8/00	
	41	6,045,996		Cranin et al.	4/4/00	


Examiner
SignatureDate
Considered

6/7/04

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* Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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STATEMENT BY APPLICANT**



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Sheet 2 of 3



Complete If Known

Application Number	09/779,389
Filing Date	February 7, 2001
First Named Inventor	McGall, et al.
Group Art Unit	1632 1639
Examiner Name	Barba M. Koroma, PhD.
Attorney Docket Number	18547-040820US

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Office	Number ⁴	Kind Code ⁵ (if known)				
	42	PCT	WO 92/10183		Hill	6/25/92		<input type="checkbox"/>
	43	PCT	WO 99/00730		Tremblay et al.	1/7/99		<input type="checkbox"/>
	44	PCT	WO 93/04145		Inoue et al.	3/4/93		<input type="checkbox"/>
	45	PCT	WO 97/10365		Lockhart et al.	3/20/97		<input type="checkbox"/>
	46	PCT	WO 92/10092		Fodor et al.	6/25/92		<input type="checkbox"/>
	47	PCT	WO 94/10128		Holmes et al.	5/11/94		<input type="checkbox"/>
	48	PCT	WO 00/61282		Glazer et al.	10/19/00		<input type="checkbox"/>
	49	PCT	WO 00/21967		McGall et al.	04/20/00		
	50	PCT	WO 00/06771		McGall et al.	02/10/00		
	51	PCT	WO 99/54509		McGall et al.	10/28/99		
	52	PCT	WO 99/40105		Goldberg et al.	02/12/99		
	53	PCT	WO 98/39348		McGall et al.	09/11/98		
	54	PCT	WO 98/20967		Beecher et al.	05/22/98		
	55	PCT	WO 97/39151		Goldberg et al.	10/23/97		
	56	PCT	WO 97/43450		Cronin et al.	11/20/97		
	57	PCT	WO 97/27317		Lockhart et al.	07/31/97		
	58	PCT	EP 742287		McGall et al.	11/13/96		
	59	PCT	EP 7288520		Pease et al.	08/28/96		
	60	EPO	EP 549107		Western et al.	12/29/97		
	61	EPO	967217 A2		McGall et al.	12/29/99		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	62	MCGALL et al., "The Efficiency of Light-Directed Synthesis of DNA Arrays on Glass Substrates" <i>Journal of the American Chemical Society</i> , 1997, Pages 5081-5090, Vol. 119, No. 22	<input type="checkbox"/>
	63	LOCKHART et al., "Expression monitoring by hybridization to high-density oligonucleotide arrays" <i>Nature Biotechnology</i> , 1996, Pages 1675-1680, Vol. 14	<input type="checkbox"/>
	64	SAIZIEU et al., "Bacterial transcript imaging by hybridization of total RNA to oligonucleotide arrays" <i>Nature Biotechnology</i> , 1998, Pages 45-48, Vol. 16	<input type="checkbox"/>
	65	CHEE et al., "Accessing Genetic Information with High-Density DNA Arrays" <i>Science</i> , 1996, Pages 610-614, Vol. 274	

Examiner Signature

Date Considered

6/7/04

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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	09/779,389
		Filing Date	February 7, 2001
		First Named Inventor	McGall, et al.
		Group Art Unit	1632 1639
		Examiner Name	Barba M. Koroma, PhD
Sheet 3 of 3	Attorney Docket Number	18547-040820US	

66	✓	McGALL et al., "High-density oligonucleotide probe arrays" <i>Proc. SPIE-Int. Soc. Opt. Eng.</i> , 2000, Pages 106-110, Vol. 3926 (Advances in Nucleic Acid and Protein Analyses, Manipulation, and Sequencing)	
67		WALLRAFF et al., "Lithographic techniques for the fabrication of oligonucleotide arrays" <i>J. Photopolym. Sci. Technol.</i> , 2000, Pages 551-558, Vol 13	
68		GLAZER et al., "High Surface Area Substrates for DNA Arrays" <i>Mat. Res. Soc. Symp. Proc.</i> , 1999, Pages 371-6, Vol. 576	
69		FIDANZA et al., "High-Density Nucleoside Analog Probe Arrays for Enhanced Hybridization" <i>Nucleosides and Nucleotides</i> , 1999, Pages 1293-1295, Vol. 18	
70		HACIA et al., "Enhanced High Density Oligonucleotide Array Based Sequence Analysis using Modified Nucleotide Triphosphates" <i>Nucleic Acids Res.</i> , 1998, Pages 4975-4982, Vol. 26	
71	✓	PIRRUNG et al., "Proofing of Photolithographic DNA synthesis with 3', 5' - dimethoxybenzoinyloxycarbonyl-protected deoxy-nucleoside phosphoramidites" <i>J. Org. Chem.</i> , 1998, Pages 241-246, Vol. 63	

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SignatureDate
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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	09/779,389
		Filing Date	February 7, 2001
		First Named Inventor	McGall, et al.
		Group Art Unit	1632
		Examiner Name	Barba M. Koroma, PhD
Sheet 4 of 4	Attorney Docket Number	18547-040820US	

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